

**From:** [Moore, Gary](#)  
**To:** [Adrian](#)  
**Subject:** FW: Permits: Chemical Facilities  
**Date:** Friday, March 20, 2015 11:17:00 AM

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FYI

**Gary Moore**  
Federal On-Scene Coordinator  
U.S. EPA Region 6  
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**From:** Moore, Gary  
**Sent:** Friday, March 20, 2015 10:30 AM  
**To:** 'adrian@airalliancehouston.org'  
**Subject:** FW: Permits: Chemical Facilities

FYI

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**From:** Henry, Lance - HPC-HFD [<mailto:Lance.Henry@houstontx.gov>]  
**Sent:** Tuesday, March 10, 2015 11:28 AM  
**To:** Moore, Gary  
**Subject:** RE: Permits: Chemical Facilities

Gary Moore,

I'm not sure who you spoke with at COH Planning and Development, but there is an ordinance permit through them called Hazardous Enterprises that acts much like zoning. It isn't perfect (there are loopholes around it for some hazardous operations) but it is the first line of defense if another hazmat operation were to attempt to open up at that location. More information can be found at this link:

[http://www.houstontx.gov/planning/DevelopRegs/dev\\_ord.html](http://www.houstontx.gov/planning/DevelopRegs/dev_ord.html)

I am the Chief over HFD Hazmat Inspections, and we plan review all new H-occupancies, outdoor ASTs, and some other similar hazardous occupancies. New H-occupancy plans that come to us for review will be automatically rejected if they do not have attached to those plans a Hazardous Enterprises permit. They have to go through Planning and Development first to ensure the area they are proposing to use is even eligible to have an H-Occupancy.

This is all based on a presumption that a company moving into that location voluntarily submits their project to the COH for review and approval. There are some who don't, and just move in and start operating illegally. In that case, it would be up to inspectors from the Fire or Building Department stumbling upon the operation, or a citizen complaint causing an inspector to be sent out to investigate and discover the operation. Once we are there, action will be taken to mitigate

immediate life threats and start the process of bringing the facility into compliance with all of our adopted codes and standards.

I hope this was helpful, and if you want to discuss further email me back or give me a call.

Thanks,

**Lance Henry**

Chief Inspector

Houston Fire Department

832-394-9345

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**From:** Moore, Gary [<mailto:Moore.Gary@epa.gov>]

**Sent:** Monday, March 09, 2015 9:57 AM

**To:** HFD Public Info

**Cc:** Terry Andrews

**Subject:** Permits: Chemical Facilities

Hello:

I am an employee of the United States Environmental Protection Agency (EPA). I am conducting an environmental cleanup at 4904 Griggs Rd in Houston, TX (Former CES Environmental Services, Inc. facility). This facility processed and stored hazardous substances during its operational period which was from the years of 2000 to 2009 at which point it filed bankruptcy. A Bankruptcy Trustee was assigned to liquidate the assets of the Bankrupt Estate but was unable to fully rid the facility of the hazardous substances located on-site as items could only be addressed as funding was available. For all intents and purposes, this facility was abandoned and experienced significant vandalism and theft which resulted in spills. In addition, the lack of funding resulted in deterioration of the chemical containers and leaks. In August 2014, the EPA became involved with the site as a result of a chemical spill that ran off-site into a residential neighborhood to the South (Kingsbury Street). The City of Houston, TCEQ, and the EPA all responded to the spill. The City of Houston handled the initial response and TCEQ completed the response with assistance from the EPA. Upon completion of the response, the EPA initiated a removal assessment to determine if EPA cleanup action was warranted. In late August, EPA approved a Federal Removal Action on the site and initiated those actions in September. As of February 16, 2015, EPA continues its actions to remove and dispose of the hazardous substances located on-site. We anticipate completing our actions in the Spring of this year.

We have been meeting periodically with local residents both individually and as a group so they can voice their concerns of which many of them are the continuing but lessening odors from the facility as we continue our cleanup actions. One of the major concerns of the community is the uncertainty of the future use of the property. As the property is surrounded by vacant property, commercial business, and an elementary school which borders the property to the West, Griggs Road and residential properties bordering the property to the North, residential properties bordering the property to the East, and residential properties bordering the property to the South. This was absolutely not an appropriate facility to be operating at this location but the lack of neighborly concern by the company and no zoning regulations seems to have caused this potential for chemical exposures. I have been in contact with the City Planning and Development Office and they have confirmed that the City of Houston has no zoning and they do not have restrictions that would

prevent a reoccurrence of this type of situation in the future. **They have indicated that I should talk with the HFD Permits to see if there are permit restrictions or any other restrictions that would apply to this property to prevent a repeat of such an issue at this location. I would appreciate it if you could let me know of what restrictions may be in play to limit the ability of someone to operate a similar type of business smack dab in the middle of a residential neighborhood with the potential to expose the surrounding residential population. I realize that you do not approve the rules and that this is typically done by the elected officials.**

Anything you can do to help me inform the area residents of what protections they may or may not have will help them decide on actions they may take to protect themselves from a similar operation that may occupy this property and potentially cause similar issues.

Thank you for your time,

**Gary Moore**

**Federal On-Scene Coordinator**

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